

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X	:	
NEW YORK ROAD RUNNERS, INC.,	:	Case No. 1:24-cv-01231-DG-JAM
	:	
Plaintiff,	:	
	:	<b>JOINT REQUEST FOR STAY</b>
-against-	:	<b><u>OF DEADLINES AND PROCEEDINGS</u></b>
	:	
NEW YORK CITY RUNS, INC.,	:	
	:	
Defendant.	:	
-----X	:	

Plaintiff New York Road Runners, Inc. and Defendant New York City Runs, Inc. (the “Parties”) hereby jointly request a 30-day stay of all current deadlines and proceedings in the above-captioned action (the “Action”).

In support of this request, the Parties stipulate to the following:

**WHEREAS**, pursuant to the Court’s August 8, 2024 Minute Entry, the Court entered the Parties’ Joint Motion for Extension of Discovery Deadlines (Dkt. 21);

**WHEREAS**, the Parties held a private mediation on August 28, 2024, and have since continued to engage in settlement discussions as well as discovery;

**WHEREAS**, the Parties have agreed to a settlement in principle, exchanged a draft settlement agreement, and believe it is in their, and the Court’s, best interests to focus their efforts on finalizing the settlement agreement;

**WHEREAS**, the Parties agree that a 30-day stay of all current deadlines in the case will allow them to focus their efforts and resources on settlement and final resolution of the Action;

**WHEREAS**, the Parties jointly request a 30-day stay of all deadlines and proceedings to facilitate settlement;

**WHEREAS**, the Parties requested a 90-day extension for the completion of fact discovery on August 8, 2024, which the Court granted; this is the Parties' first request for a stay; and

**WHEREFORE**, the Parties respectfully request that the Court issue an order granting the Parties' Joint Request for a 30-Day Stay of Deadlines and Proceedings as set forth above.

**Date:** October 31, 2024

Respectfully submitted,

By: /s/ Kimberly M. Maynard  
**FRANKFURT KURNIT KLEIN  
& SELZ, P.C.**

Kimberly M. Maynard  
Molly G. Rothschild  
Jonathan M. K. Pryor  
28 Liberty Street, 35<sup>th</sup> Floor  
New York, NY 10005  
Telephone: (212) 980-0120  
[kmaynard@fkks.com](mailto:kmaynard@fkks.com)  
[mrothschild@fkks.com](mailto:mrothschild@fkks.com)  
[jpryor@fkks.com](mailto:jpryor@fkks.com)

*Attorneys for Plaintiff New York Road  
Runners, Inc.*

By: /s/ Richard H. Brown  
**DAY PITNEY LLP**

Richard H. Brown  
605 Third Avenue, 31<sup>st</sup> Floor  
New York, NY 10158  
Telephone: (212) 297-5800  
[rbrown@daypitney.com](mailto:rbrown@daypitney.com)

*Attorneys for Defendant New York City  
Runs, Inc.*

**[PROPOSED] ORDER**

Having considered the foregoing Joint Request for Stay of Deadlines and Proceedings, the Court hereby orders that this case is stayed for 30 days. If no stipulation of discontinuance is filed within 30 days after entry of this Order, the stay will be lifted.

---

Judge Joseph A. Marutollo

Date: \_\_\_\_\_, 2024